

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ELEAZAR TATE, K-Y. T.,
JESSICA MILLER, JAMIA THOMAS,
K. N. and T. M.

ORDER

Case No. 24-cv-702-jdp

Plaintiffs,
v.

JACOB SEUFERER, ET AL.,

Defendants.

ELEAZAR TATE, JAMIA THOMAS and
K-Y. T.,

ORDER

Plaintiffs,
v.

Case No. 24-cv-724-jdp

JACOB SEUFERER, et al.

Defendants.

Plaintiff Eleazor Tate has filed a certified copy of a trust fund account statement and a motion for leave to proceed without prepaying the filing fee. After considering the motion and supporting documentation, I conclude that plaintiff qualifies for indigent status.

Even when an inmate litigant qualifies for indigent status, the litigant must pay a portion of the filing fee pursuant to 28 U.S.C. § 1915(b)(1). Using information from the plaintiff's trust fund account statement for the six-month period preceding the complaints, I have calculated the initial partial payment to be \$115.40 for each case (total \$230.80). For these cases to proceed, plaintiff must submit this amount on or before November 18, 2024.

ORDER

IT IS ORDERED that:

1. Plaintiff Eleazor Tate is assessed an initial partial payment of \$115.40 for each case (total \$230.80). Plaintiff must submit a check or money order payable to the clerk of court by November 18, 2024 or advise the court in writing why plaintiff is not able to make the initial partial payments.
2. No further action will be taken in these cases until the clerk's office receives the initial partial payments as directed above and the court has screened the complaints as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, the court will issue a separate order.
3. If plaintiff fails to make the initial partial payment by November 18, 2024, or fails to show cause why the payment could not be made, then I will assume that plaintiff wishes to withdraw these actions voluntarily. In that event, the cases will be dismissed without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i). If plaintiff submits the initial partial payments within 30 days of dismissal, the cases will be reopened. The court will not reopen the cases after 30 days unless plaintiff makes a showing that they are entitled to relief under Federal Rule of Civil Procedure 60(b).

Entered this 25th day of October, 2024.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge